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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,105	07/13/2005	Hisayuki Kawamura	28955.4030	1128
27890	7590	08/19/2009		
STEP TOE & JOHNSON LLP 1330 CONNECTICUT AVENUE, N.W. WASHINGTON, DC 20036				
EXAMINER				
THOMPSON, CAMIE S				
ART UNIT		PAPER NUMBER		
1794				
MAIL DATE		DELIVERY MODE		
08/19/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/542,105

Applicant(s)

KAWAMURA, HISAYUKI

Examiner

Camie S. Thompson

Art Unit

1794

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed 5/29/09.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Applicant's amendment and accompanying remarks filed May 29, 2009 are acknowledged.
2. The rejection of claims 1 and 8-10 under 35 U.S.C. 102(b) as being anticipated by Tamano et al., U.S. Patent Number 5,681,664 is withdrawn due to applicant's argument.
3. The rejection of claims 7-15 under 35 U.S.C 102(b) as being anticipated by Nakaya et al., U.S. Patent Number 5,792,557 is withdrawn due to applicant's argument.
4. The rejection of claims 2-6 and 11-15 under 35 U.S.C. 103(a) as being unpatentable over Tamano et al., U.S. Patent Number 5,681,664 is withdrawn due to applicant's argument.

Claim Rejections - 35 USC § 102

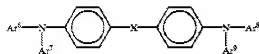
5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-6 and 8-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawamura et al., U.S. Patent Number 6,074,734.

Kawamura discloses a hole transporting layer in an electroluminescence device wherein the hole transporting layer has a compound represented

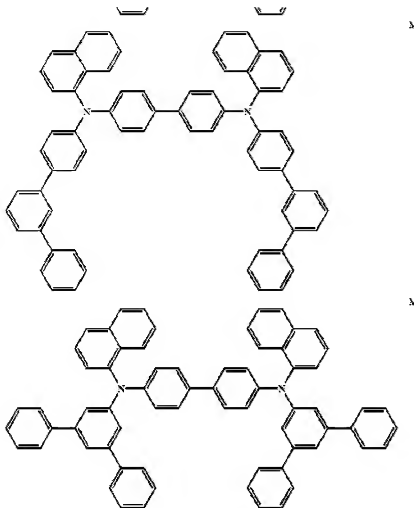


where X can be a phenylene group and Ar⁶ to

Ar⁹ is an aryl group having 6 to 18 carbon atoms. The Kawamura reference reads on the present claim when X is a phenylene group and the compound represents general formula (1) of the present claims with L representing a terphenylene group.

7. Claims 8-15 are rejected under 35 U.S.C. 102(b) as being anticipated by WO 01/23344 with an English translation from Kawamura et al., U.S. Patent Number 6,632,543.

Kawamura discloses an organic electroluminescence device comprising an amine derivative with structures



. The reference discloses that the amine compound/derivative is used in the hole transporting layer (see reference claim 10). The reference reads on the present claims when L of the present claims is represented by a biphenylene group. Additionally, the reference reads on the present claims when Ar¹ and Ar³ of the present claims is represented by naphthyl from the reference.

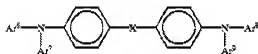
Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kawamura et al., U.S. Patent Number 6,074,734.

Kawamura discloses a hole transporting layer in an electroluminescence device wherein the hole transporting layer has a compound represented



where X can be a phenylene group and Ar⁶ to

Ar³ is an aryl group having 6 to 18 carbon atoms. The Kawamura reference reads on the present claim when X is a phenylene group and the compound represents general formula (1) of the present claims with L representing a terphenylene group. Kawamura does not specifically disclose the compounds as recited in claim 7. However, the reference does disclose that Ar⁶ to Ar⁹ can be an aryl group having 6 to 18 carbon atoms. Ar⁶ to Ar⁹ of the reference corresponds to Ar¹ to Ar⁴ of the present claims. Aryl is generic and encompasses condensed polycyclic aromatic groups. Therefore, it would have been obvious to one of ordinary skill in the art to have naphthyl substitution for Ar¹ to Ar⁴ as required by (H7), (H8) and (H10) since the compounds are encompassed by the generic "aryl".

Response to Arguments

10. Applicant's arguments with respect to the present claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Camie S. Thompson whose telephone number is 571-272-1530. The examiner can normally be reached on Monday-Friday 8:00 am - 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, D. Lawrence Tarazano can be reached on 571-272-1515. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/D. Lawrence Tarazano/
Supervisory Patent Examiner, Art Unit 1794

Camie S Thompson
Examiner
Art Unit 1794

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